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10/788,436

03/01/2004

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02/13/2006

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EXAMINER

HANNAHER, CONSTANTINE

ART UNIT

PAPER NUMBER

2884

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---|--------------------------------------|--|
| Office Action Summary | Application No. 10/788,436 | Applicant(s) TSUTOH ET AL. | |
| | Examiner Constantine Hannaher | Art Unit 2884 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9 and 12 is/are rejected.
- 7) ☒ Claim(s) 6-8,10 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20040301</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION**Specification**

1. The disclosure is objected to because of the following informalities: page 13, line 27, "cassettes 34" where --cassettes 14-- is meant; page 16, line 15, "firth processor" where --fifth processor-- is meant.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 3, 12, 4, 5, and 9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Yonekawa (US006781144B2).

With respect to independent claim 1, Yonekawa discloses a radiation image information reading apparatus (Fig. 6) comprising a cassette loader 3, a reading unit 60, an erasure unit 64, a detector 45, an abnormal cassette storage unit (3 or 4, column 42), and a discharging mechanism 40. It would import a limitation from the specification to hold that the requirement the cassette loader be "for loading a plurality of cassettes..." was a requirement for simultaneous loading of a plurality of cassettes (allowing the operator to depart) and not the sequential loading of a plurality of cassettes described by the reference. Accordingly, in view of the cassettes 1, stimuable phosphor panels 28, stimulating light B from source 61, photoelectric reading with detector 63, erasing light C, the

description of the detector **45** at column 34, lines 55-66, and the aforementioned description at column 42, the claim is anticipated.

With respect to dependent claim 2, the apparatus of Yonekawa comprises a detector which detects a loaded state of a cassette **1** which is loaded in the cassette holder **3** (column 34, lines 43-45).

With respect to dependent claim 3, the evaluation that a “wrong cassette” has been inserted (column 34, line 61) in the apparatus of Yonekawa constitutes detection of a registered state of a cassette **1** which is loaded in the cassette loader **3**.

With respect to dependent claim 12, the detector **45** in the apparatus of Yonekawa detects the registered state of cassette **1** based on identification information detecting means **200** disposed in a predetermined position on the cassette **1** (column 34, lines 50-54).

With respect to dependent claim 4, the evaluation that troubles are caused in the course of conveyance operations after taking the cassette **1** into the apparatus in the apparatus of Yonekawa constitutes detection of an ejected state of the stimuable phosphor panel **28** stored in the cassette **1**.

With respect to dependent claim 5, the abnormal cassette storage unit in the apparatus of Yonekawa is disposed in the cassette loader **3** (column 42, lines 33-41).

With respect to dependent claim 9, the abnormal cassette storage unit in the apparatus of Yonekawa is disposed outside the apparatus independently of the cassette loader: **4** (column 42, lines 41-43).

Comment on Submission(s)

4. This application has been published as US2004/0169152A1 on September 2, 2004.

Allowable Subject Matter

5. Claims 11, 6-8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Yonekawa makes no mention of a reflective marker, a moveable wall in the cassette loader, storage inside the apparatus, or separate storage for normal and abnormal cassettes.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bauer *et al.* (US004908514A) shows that a cassette loader **40** (Fig. **1**) for loading a plurality of cassettes **1** simultaneously is known.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Constantine Hannaher whose telephone number is (571) 272-2437. The examiner can normally be reached on Monday-Friday with flexible hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Constantine Hannaher
Primary Examiner